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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA

21 GARY E. AFFONSO,

22 Plaintiff,

23 v.

24 METROPOLITAN LIFE INSURANCE
25 COMPANY; MORGAN STANLEY SMITH
26 BARNEY LLC (APPEARING AS MORGAN
27 STANLEY & CO., INC.); and MORGAN
STANLEY & CO., INCORPORATED, BASIC
AND SUPPLEMENTAL LIFE INSURANCE
PLAN: 501,,

28 Defendants.

Case No. C 10-05054 PJH

**STIPULATION AND [PROPOSED]
ORDER SETTING BRIEFING AND
HEARING SCHEDULE FOR
DISPOSITIVE MOTIONS**

1 Plaintiff Gary E. Affonso (“plaintiff”) and Defendants Metropolitan Life Insurance
2 Company (“MetLife”), Morgan Stanley Benefits Plan (“Plan”), and Morgan Stanley & Co., Inc.
3 (“Morgan Stanley”) (collectively “defendants”), hereby joint propose the following
4 briefing/filing and hearing schedule for dispositive cross-motions:

5 Plaintiff’s motion for judgment filed: September 7, 2011
6 Defendants’ joint opposition and cross-motion filed: September 28, 2011
7 Plaintiff’s reply and opposition to cross motion filed: October 19, 2011
8 Defendants’ joint reply filed: November 2, 2011
9 Hearing on cross-motions: November 16, 2011
10

11 DATED: July 26, 2011 LAW OFFICES OF LAURENCE F. PADWAY
12

13 By: /s/ Laurence F. Padway (as authorized on 7/25/2011)
14 Laurence F. Padway
15 Attorneys for Plaintiff
Gary E. Affonso
16

DATED: July 26, 2011 SEDGWICK LLP
17

18 By: /s/ Erin A. Cornell
19 Rebecca A. Hull
20 Erin A. Cornell
21 Attorneys for Defendants
Metropolitan Life Insurance Company; Morgan Stanley
Benefits Plan
22

DATED: July 26, 2011 LAW OFFICES OF STEVEN A. ELLENBERG
23

24 By: /s/ Mark Boennighausen (as authorized on 7/25/2011)
25 Mark Boennighausen
26 Attorneys for Defendant
Morgan Stanley & Co., Inc.
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ORDER

It is so ordered. The briefing schedule set forth in the parties' stipulation is adopted, and the hearing on the cross-motions for judgment shall be held on November 16, 2011 at 9:00 a.m.

DATED: 8/1/11

